

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
FORT WAYNE DIVISION

JAMES THREATT, NATASHA THREATT,	)	
and JANET MILLER	)	
Plaintiff,	)	
v.	)	CIVIL NO. 1:05-CV-117 WCL
	)	
RESIDENTIAL CRF, INC. and/or	)	
CRF FIRST CHOICE, INC.	)	
Defendant.	)	

ORDER

On August 2, 2005, and in accordance with 28 U.S.C. §636(b)(1)(B)(C), and N. D. Ind. L.R. 72.1(d)(1) this case was referred to Magistrate Judge Roger Cosbey for a Report and Recommendation on the issue of the Certification of FLSA Collective Action, as requested in the plaintiffs's complaint. On August 12, 2005, Magistrate Judge Roger Cosbey issued his Report and Recommendation, recommending that Plaintiffs' motion for certification of FLSA collective action (Docket # 46) be granted in part and denied in part. This Report and Recommendation also informed the parties that, pursuant to §636(b)(1)(C) of the Federal Magistrates' Act, they had ten days after being served with a copy of the Report and Recommendation to file written objections with the Clerk of the Court, and that failure to object may constitute a waiver of objection on appeal. See also N.D.Ind. L.R. 72(d)(2).

More than ten days have passed since the parties have been served with a copy of Magistrate Judge Cosbey's Report and Recommendation and no objections have been filed with the Clerk of the Court. Consequently, this court hereby ADOPTS Magistrate Judge Cosbey's Report and Recommendation, and GRANTS IN PART and DENIES IN PART Plaintiffs' motion for certification of FLSA collective action (Docket # 46). The Plaintiff's collective action is

certified solely with respect to a class composed of the 12-7 Direct Care Staff employed in CRF's Fort Wayne group homes during the time period beginning April 1, 2002, and ending December 31, 2003. The Defendants are directed to provide Plaintiffs with the names and addresses of the putative class members, and the Plaintiffs are directed to submit a proposed notice to the Court for its review and approval prior to contacting potential plaintiffs.

Enter: August 31, 2005

s/William C. Lee  
WILLIAM C. LEE, JUDGE  
UNITED STATES DISTRICT COURT